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9

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 JAMES R. GLIDEWELL DENTAL
CERAMICS, INC. dba GLIDEWELL
14 LABORATORIES, a California
corporation,
15

16 Plaintiff,

17 vs.

18 KEATING DENTAL ARTS, INC.,
19 Defendant.

20 AND RELATED
21 COUNTERCLAIMS.
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Case No. SACV11-01309-DOC(ANx)

**[PROPOSED] ORDER GRANTING
JAMES R. GLIDEWELL DENTAL
CERAMICS, INC.'S NOTICE OF
MOTION AND MOTION IN LIMINE
#3 TO EXCLUDE THE PROPOSED
EXPERT TESTIMONY OF
KEATING DENTAL ARTS, INC.'S
EXPERT DR. DAVID W.
EGGLESTON**

Hearing

Date: January 28, 2013
Time: 8:30 a.m.
Ctrm: 9D, Hon. David O. Carter

Pre-Trial Conf.: January 28, 2013
Jury Trial: February 26, 2013

ORDER

Plaintiff James R. Glidewell Dental Ceramics, Inc.'s ("Glidewell") Motion *in Limine* No. 4 to preclude the proposed testimony of Keating Dental Arts, Inc.'s ("Keating") expert Dr. David W. Eggleston, came before this Court for hearing during the Pretrial Conference on January 28, 2013. All parties were represented by counsel.

Having considered the evidence and arguments set forth by the parties in the papers submitted and at the hearing, and for good cause shown,

IT IS HEREBY ORDERED that: Glidewell's Motion *In Limine* No. 3 is **GRANTED**. Keating shall not introduce testimony from Dr. David W. Eggleston, (i) that the terms "Bruxzir" or "bruxer" were or are generic terms for zirconia dental restoration products, and (ii) constitutes or includes opinions as to subjects, including but not limited to the presence or absence of likelihood of confusion between BruxZir and KDZ Bruxer, beyond those which were included in his expert reports.

Dated: _____

Hon. David O. Carter
United States District Judge

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Glidewell Laboratories v. Keating Dental Arts, Inc.
United States District Court, Central, Case No. SACV11-01309-DOC (ANx)

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2013, I electronically filed the document described as **[PROPOSED] ORDER GRANTING JAMES R. GLIDEWELL DENTAL CERAMICS, INC.'S NOTICE OF MOTION AND MOTION IN LIMINE #3 TO EXCLUDE THE PROPOSED EXPERT TESTIMONY OF KEATING DENTAL ARTS, INC.'S EXPERT DR. DAVID W. EGGLESTON** the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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Dated: January 17, 2013

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